IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 16811 of 2007(B)

PETITIONER:

ESTHER ANU PATHROSE,D/O.PATHROSE,
MUNDACKAL HOUSE,PERUMBAVOOR P.O.,
ERNAKULAM,KERALA.

BY ADV. SRI.MATHEW A KUZHALANADAN
SRI.ABDUL JAWAD

RESPONDENTS:

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1. MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS,KOTTAYAM,
REPRESENTED BY THE REGISTRAR.

2. THE CONTROLLER OF EXAMINATIONS,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS,KOTTAYAM.

3. THE PRINCIPAL, M.O.S.C.MEDICAL COLLEGE,
KOLENCHERRY,ERNAKULAM.

BY SRI. T.A. SHAJI- SC FOR M.G. UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.16811 OF 2007

DATED THIS THE 6th DAY OF JUNE, 2007

JUDGMENT

The learned counsel for the petitioner is absent. The learned standing counsel for the University argues on getting instructions. The petitioner is a final year M.B.B.S. student of the 3rd respondent's college. The petitioner failed in two subjects in the second year M.B.B.S. Examination. The petitioner applied for scrutiny and revaluation for the failed subjects. He also wrote the supplementary examination conducted in May 2007. The petitioner submits that since the University has not either revalued her answer scripts or published the results of the supplementary examination, the petitioner should be allowed to write the final year examination subject to the results of the revaluation as well as the supplementary examination.

2. The learned standing counsel on instructions submits that the petitioner's application for revaluation was belated and the Vice Chancellor condoned the delay only on 18.5.07 and the respondents would require at least two more months' time to complete the revaluation process. In respect of the supplementary examination, the learned standing counsel would submit that what the petitioner has written in May 2007 is not a supplementary examination. According to

him, the supplementary examination for the petitioner's batch was conducted in December 2006, which the petitioner did not write. The present examination is the regular examination which the petitioner write along with the regular students of the next batch. As such the petitioner cannot claim that she should be allowed to write the examination pending declaration of results of the supplementary examination. After hearing the learned standing counsel, I direct the respondents to complete the revaluation process, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment.

3. Regarding the prayer for permitting the petitioner to write the final year examination, I am not inclined to grant the prayer since according to me as far as MBBS examinations are concerned, a strict view has to be taken, as these students after passing the MBBS examination, are expected to treat the public and therefore they should pass examinations in the hard way.

The writ petition is disposed of with the above direction.

S. SIRI JAGAN, JUDGE

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